



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/881,408
Confirmation No. 8492
Filing Date June 13, 2001
Inventor Kie Y. Ahn, et al
Assignee Micron Technology, Inc.
Group Art Unit 2814
Examiner T. Le
Attorney's Docket No. MI22-1534
Customer No. 021567
Title: A Dielectric Layer Forming Method and Devices Formed Therewith

**PRELIMINARY AMENDMENT TO ACCOMPANY AN RCE FILING AND COMMENTS
ON STATEMENT OF REASONS FOR ALLOWANCE**

To: MS RCE
Commissioner for Patents
PO Box 1450
Art Unit 2814
Alexandria, VA 22313-1450

From: James E. Lake (Tel. 509-624-4276; Fax 509-838-3424)
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AMENDMENTS

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09/10/2004 GSTANLEY 00000001 00000001 09/881,408

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Allowance of the claims as literally worded is urged. Entry of the above added claims essentially precludes the independent claims from in any way being interpreted in the manner that might be inferred from the reasons for allowance. By virtue of claim 25, claim 20 cannot be interpreted to require that the lanthanum-containing dielectric layer consists of metal oxide. Similarly, new claims 60 and 61 preclude claim 52 from being interpreted as requiring the first dielectric layer or the second dielectric layer to consist of hafnium oxide or lanthanum oxide, respectively. Further, claim 62 precludes claim 3 from being interpreted as requiring the second dielectric layer to consist of metal oxide. If the Office enters the present amendment, then this file history is to be interpreted as if the Office's statement on reasons for allowance in the Notice of Allowability never existed or was withdrawn. If the Office disagrees with this just stated position, claim rejections are mandated or modification of the statements on reasons for allowance is warranted.

Respectfully submitted,

Dated: 14 Jul 2004

By: James E. Lake
James E. Lake
Reg. No. 44,854

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PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number

09 881408

RCE

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	41 minus 20 = *	
INDEPENDENT CLAIMS	9 minus 6 = *	3
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	•	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE	OTHER THAN OR SMALL ENTITY
RATE	FEES
BASIC FEE	385.00
OR	BASIC FEE 770.00
X\$ 9=	
OR	X\$18=
X43=	
OR	X86= 258
+145=	
OR	+290=
TOTAL	258
OR	TOTAL 258

SMALL ENTITY	OTHER THAN OR SMALL ENTITY
RATE	ADDI- TIONAL FEE
X\$ 9=	
OR	X\$18=
X43=	
OR	X86=
+145=	
OR	+290=
TOTAL ADDT. FEE	TOTAL ADDT. FEE

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	•	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

AMENDMENT B	RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=			X\$18=	
OR			X86=	
X43=			+290=	
OR			TOTAL ADDT. FEE	TOTAL ADDT. FEE

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	•	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

AMENDMENT C	RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=			X\$18=	
OR			X86=	
X43=			+290=	
OR			TOTAL ADDT. FEE	TOTAL ADDT. FEE

- If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.